

WHICH MAY BE REQUIRED IN THE TRANSFER OF THE PROPERTY TO THE PLAINTIFF; AND

(5) AN ALLOWANCE TO THE DEFENDANT, AS FIXED BY THE COURT, FOR THE REASONABLE LEGAL, APPRAISAL, AND ENGINEERING FEES ACTUALLY INCURRED BY THE DEFENDANT BECAUSE OF THE CONDEMNATION PROCEEDING, IF THE JUDGMENT IS FOR THE DEFENDANT ON THE RIGHT TO CONDEMN.

(C) INTEREST ON AWARD.

IN PROCEEDING UNDER ARTICLE III OF THE CONSTITUTION OF THE STATE, OR ANY AMENDMENT TO IT, THE PLAINTIFF SHALL PAY INTEREST AT THE RATE OF 6 PERCENT PER ANNUM ON ANY DIFFERENCE BETWEEN THE AMOUNT OF MONEY INITIALLY PAID INTO COURT FOR THE USE OF THE DEFENDANT AND THE JURY AWARD AS STATED IN THE INQUISITION, AS OF THE DATE THE MONEY WAS PAID INTO COURT AND THE DATE OF THE INQUISITION OR FINAL JUDGMENT, WHICHEVER IS LATER.

(D) REMOVAL OF PROPERTY FROM TAX ROLLS.

ON TAKING POSSESSION, ACQUIRING THE RIGHT TO TAKE POSSESSION, OR THE ACTUAL TRANSFER OF TITLE TO THE PLAINTIFF, WHICHEVER OCCURS FIRST, THE PLAINTIFF IMMEDIATELY SHALL FILE WITH THE SUPERVISOR OF ASSESSMENTS FOR THE COUNTY INVOLVED A WRITTEN NOTIFICATION OR RECORD SETTING FORTH IN SUFFICIENT DETAIL THE AREA OF THE LAND AND A DESCRIPTION OF ANY IMPROVEMENT BEING ACQUIRED. IF THE PLAINTIFF IS AN AGENCY OR INSTRUMENTALITY OF THE STATE, THE SUPERVISOR OF ASSESSMENTS, ON FILING OF THE NOTIFICATION OR RECORD, IMMEDIATELY SHALL REMOVE THE PROPERTY FROM THE TAX ROLLS.

REVISOR'S NOTE: This section presently appears as Art. 21, §12-107 of the Code. In subsection (d), the present reference to "Baltimore City" is proposed for deletion in light of the definition of "county" in §1-101(b). The only other changes are in style.

12-107. APPEALS.

(A) RIGHT TO APPEAL.

ANY PARTY TO A CONDEMNATION CASE MAY APPEAL FROM A FINAL JUDGMENT OR DETERMINATION TO THE COURT OF APPEALS IN THE MANNER PRESCRIBED BY THE MARYLAND RULES.

(B) ATTORNEY'S FEE.

IF THE FINAL DECISION ON APPEAL IS THAT THE PLAINTIFF IS NOT ENTITLED TO CONDEMN THE PROPERTY, A REASONABLE COUNSEL FEE FIXED BY THE TRIAL COURT SHALL BE